

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address D. EDWARD HAYS, #162507 ehays@marshackhays.com TINHO MANG, #322146 tmang@marshackhays.com MARSHACK HAYS WOOD LLP 870 Roosevelt Irvine, CA 92620 Telephone: (949) 333-7777 Facsimile: (949) 333-7778  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Robert S. Whitmore, Plaintiff	FOR COURT USE ONLY
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION</b>	
In re:  OKAYSOU CORPORATION,   <div style="text-align: right;">Debtor(s).</div>	CASE NO.: 6:23-bk-11535-MH  ADVERSARY NO.: 6:23-ap-01122-MH  CHAPTER: 7
ROBERT S. WHITMORE, Chapter 7 Trustee,   <div style="text-align: right;">Plaintiff(s).</div> vs.  AMAZON.COM SERVICES, LLC; AMAZON CAPITAL SERVICES, INC., SOUXING INFORMATION TECHNOLOGY COMPANY (CHONGQING) CO., LTD.; ATOMEE CORP., FUDONG CAO, and DOES 1 to 10, <div style="text-align: right;">Defendant(s).</div>	<div style="text-align: center;"> <b>JOINT STATUS REPORT [LBR 7016-1(a)(2)]</b> </div> <div style="margin-top: 10px;">             DATE: 08/21/2024              TIME: 2:00 p.m.              COURTROOM: 301              ADDRESS: 3420 Twelfth Street, Riverside, CA 92501           </div>

The parties submit the following JOINT STATUS REPORT in accordance with LBR 7016-1(a)(2):

**A. PLEADINGS/SERVICE:**

- |   |                              |  |
|---|------------------------------|--|
| 1. Have all parties been served with the complaint/counterclaim/cross-claim, etc. (Claims Documents)? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Have all parties filed and served answers to the Claims Documents?                                 | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Have all motions addressed to the Claims Documents been resolved?                                  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Have counsel met and conferred in compliance with LBR 7026-1?                                      | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

5. If your answer to any of the four preceding questions is anything other than an unqualified "YES," please explain below (*or on attached page*):
- Counsel for the Trustee (substituted into the case) and the Amazon entities have been in contact and the entire matter has been stayed by stipulation to date. The foreign entities have not been served in accordance with the Hague Convention.

**B. READINESS FOR TRIAL:**

- |    |   |   |
|----|---|---|
| 1. | When will you be ready for trial in this case?  |   |
|    | <u>Plaintiff</u>  | <u>Defendant</u>  |
|    | 6 months after filing of an answer.   | 6-9 Months after filing an answer.  |
| 2. | If your answer to the above is more than 4 months after the summons issued in this case, give reasons for further delay.                        |   |
|    | <u>Plaintiff</u>  | <u>Defendant</u>  |
|    | no response to the complaint has been due yet from the domestic defendants.   | No response to the complaint is due based on a stipulation between the Trustee and Amazon defendants. |
| 3. | When do you expect to complete <u>your</u> discovery efforts?   |   |
|    | <u>Plaintiff</u>  | <u>Defendant</u>  |
|    | unknown at this time.   | Unknown at this time.   |
| 4. | What additional discovery do you require to prepare for trial?  |   |
|    | <u>Plaintiff</u>  | <u>Defendant</u>  |
|    | Written discovery including possible financial records from financial institutions, possible oral deposition testimony of percipient witnesses. | Written discovery and oral deposition of witnesses.   |

**C. TRIAL TIME:**

- |    |  |                       |
|----|--|-----------------------|
| 1. | What is your estimate of the time required to present <u>your side of the case</u> at trial ( <i>including rebuttal stage if applicable</i> )? |                       |
|    | <u>Plaintiff</u>   | <u>Defendant</u>      |
|    | unknown at this time.  | Unknown at this time. |
| 2. | How many witnesses do you intend to call at trial ( <i>including opposing parties</i> )?   |                       |
|    | <u>Plaintiff</u>   | <u>Defendant</u>      |
|    | unknown at this time.  | Unknown at this time. |

3. How many exhibits do you anticipate using at trial?

Plaintiff

unknown at this time.

Defendant

Unknown at this time.

**D. PRETRIAL CONFERENCE:**

A pretrial conference is usually conducted between a week to a month before trial, at which time a pretrial order will be signed by the court. [See LBR 7016-1.] If you believe that a pre-trial conference is not necessary or appropriate in this case, please so note below, stating your reasons:

Plaintiff

Pretrial conference ☒ is ☐ is not requested  
Reasons:

Defendant

Pretrial conference ☒ is ☐ is not requested  
Reasons:

Plaintiff

Pretrial conference should be set after:  
(date) 05/30/2025

Defendant

Pretrial conference should be set after:  
(date) 05/30/2025

**E. SETTLEMENT:**

1. What is the status of settlement efforts?

Settlement has been discussed informally between Trustee and Amazon entities. Parties intend to fully explore settlement options prior to engaging in formal discovery and further litigation.

2. Has this dispute been formally mediated? ☐ Yes ☒ No  
If so, when?

3. Do you want this matter sent to mediation at this time?

Plaintiff

☐ Yes ☒ No

Defendant

☐ Yes ☒ No

**F. FINAL JUDGMENT/ORDER:**

Any party who contests the bankruptcy court's authority to enter a final judgment and/or order in this adversary proceeding must raise its objection below. Failure to select either box below may be deemed consent.

Plaintiff

☒ I do consent

☐ I do not consent

to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

Defendant

☐ I do consent

☒ I do not consent

to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

**G. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL:** (Use additional page if necessary)

After discussions between counsel regarding attempting to resolve this matter without incurring any unnecessary expenses, the parties agreed to an extended responsive pleading deadline for Amazon.com Services LLC and Amazon Capital Services, Inc. of November 15, 2024. The parties jointly request that this status conference be continued until early December to allow them to complete their informal discovery and settlement efforts. If the matter is not resolved by early December, the parties may request that the Court set discovery deadlines. Additionally, Trustee may seek leave to amend the complaint.

Respectfully submitted,

Date: 08/07/2024

MARSHACK HAYS WOOD LLP

Printed name of law firm

/s/ Tinh Mang

Signature

TINHO MANG

Printed name

Attorney for: Robert S. Whitmore, Ch7 Trustee

Date: 08/07/2024

K&L Gates LLP

Printed name of law firm

Brandy A. Sargent

Signature

Brandy A. Sargent

Printed name

Amazon Capital Services, Inc. and

Attorney for: Amazon.com Services, LLC

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled (*specify*): **JOINT STATUS REPORT** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **August 7, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- ATTORNEYS FOR PLAINTIFF: Vahe Khojayan vkhojayan@yklaw.us
- ATTORNEYS FOR PLAINTIFF: ROBERT S. WHITMORE, CHAPTER 7 TRUSTEE: Tinho Mang  
tmang@marshackhays.com,  
tmang@ecf.courtdrive.com;alinare@ecf.courtdrive.com;cmendoza@ecf.courtdrive.com
- ATTORNEYS FOR DEFENDANT AMAZON.COM SERVICES, LLC and AMAZON CAPITAL SERVICES, INC.:  
Brandy A Sargent brandy.sargent@klgates.com, litigation.docketing@klgates.com;janna.leasy@klgates.com
- U.S. TRUSTEE: United States Trustee (RS) ustregion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) **August 7, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**Defendant** Fudong Cao, #56, Ruitian Rd., Yuzhong Dist., Chongqing, China 56,

**Defendant** Souxing Information Technology Company (Chongqing) Co., Ltd. #56, Ruitian Rd., Yuzhong Dist., Chongqing, China 56

**Defendant** Atomee Corp. c/o Incorp Services, Inc. 5716 CORSA AVE SUITE 110 WESTLAKE VILLAGE, CA 91362

**Defendant** Atomee Corp. c/o Fudong Cao 1968 S COAST HWY, STE 1141 , LAGUNA BEACH, CA 92651

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **August 7, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**PRESIDING JUDGE'S COPY – via Overnight Mail**

Honorable Mark D. Houle

United States Bankruptcy Court, Central District of California

3420 Twelfth Street, Suite 325 / Courtroom 301

Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

August 7, 2024

Chanel Mendoza

/s/ Chanel Mendoza

Date

Printed Name

Signature